

## **REMARKS**

In this response to the above-identified Office Action, Applicant respectfully requests reconsideration in view of the above amendments and following remarks. Claims 1, 6, 12, and 13 have been amended. New claims 16 and 17 have been added. No claims have been cancelled. Accordingly, claims 1-6 and 8-17 are pending in the application.

### **Interview Summary**

Applicant greatly appreciates Examiner's time in discussion via telephone conference on February 5, 2008. Examiner and Attorney for the Applicant discussed the 103 rejections of the Office Action. Attorney for the Applicant explained that the no part of any reference cited in the Office Action taught or suggested a "gray-level image" as defined in Applicant's specification. Examiner agreed, and requested that Applicant amend the claims to incorporate a more specific description of a "gray-level image."

Examiner indicated via telephone on February 7, 2008 that the claim amendments submitted herewith would be sufficient to overcome the currently cited references. As Examiner also suggested, Applicant has included the recitation of an on-screen display (OSD) in new claims 16 and 17.

### **Claim Amendments**

Applicant has **amended claims 1, 6, 12, and 13** to include "a gray-level image, for facilitating adjustment of a color wheel delay of the projector, wherein the gray-level image is created for a predetermined color and includes a plurality of pixels, each of the plurality of pixels representing a different shade of the predetermined color" (emphasis added) or similar limitations. Applicant has also **added new claims 16 and 17**. Support for the amendments and the new claim may be found at ¶¶ 0010, 0017, and 0018, Fig. 3 (element 34), and Fig. 4 (element 36), and elsewhere, in the specification.

Applicant has further amended claims 1, 6, 12, and 13 to clarify the claim language.

Applicant respectfully submits that no new matter has been added.

**Claims Rejected Under 35 U.S.C. § 103**

To establish a prima facie case of obviousness, the Examiner must show that the cited references, combined, teach or suggest each of the elements of a claim. See *In re Vaeck*, 947 F.2d 488, 20 USPQ.2d 1438 (Fed. Cir. 1991). Further, the combination of elements must be more than the predictable use of prior art elements according to their established functions. See *KSR International Co. v. Teleflex Inc.*, 550 U.S. \_\_\_, 127 S. Ct. 1727 (2007).

Claims 1-6, 8-12, and 14-15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Int'l Pub. No. WO 01/95544 by Ben-David et al. (hereinafter "Ben-David") in view of U.S. Pat. No. 5,774,196 issued to Marshall (hereinafter "Marshall") and in view of U.S. Pub. No. 2002/0060754 by Takeuchi (hereinafter "Takeuchi"). Applicant respectfully disagrees for the following reasons.

**Claim 1** includes "a gray-level image, for facilitating adjustment of a color wheel delay of the projector, wherein the gray-level image is created for a predetermined color and includes a plurality of pixels, each of the plurality of pixels representing a different shade of the predetermined color" (emphasis added). Examiner has not relied upon and Applicant has not been able to discern any part of Ben-David, Marshall or Takeuchi that teaches or suggests the above limitations. Thus, Ben-David in view of Marshall in view of Takeuchi does not teach or suggest each of the elements of these claims. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

Independent **claims 6 and 12**, as amended, include elements similar to those of amended claim 1. Thus, at least for the reasons mentioned above in regard to independent claim 1, Ben-David in view of Marshall in view of Takeuchi does not teach or suggest each of the elements of these claims. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

**Claims 2-5, 8-11, 14, and 15** depend from independent claims 1 and 6, respectively, and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regard to the independent claims, Ben-David in view of Marshall in view of Takeuchi does not teach or suggest each of the elements of these dependent claims. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Marshall in view of Takeuchi. Applicant respectfully disagrees for the following reasons.

**Claim 13**, as amended, includes elements similar to those of amended claim 1. Thus, at least for the reasons mentioned above in regard to independent claim 1, Marshall in view of Takeuchi does not teach or suggest each of the elements of this claim. Accordingly, reconsideration and withdrawal of the obviousness rejection of this claim are requested.

**New Claims**

New **claims 16 and 17** include elements similar to those of amended claim 1. Thus, at least for the reasons mentioned above in regard to claim 1, Applicants respectfully submit that the new claims are patentable over the cited references.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application; the undersigned can be reached at the telephone number set out below.

The Commissioner is hereby authorized to charge any additional fees due or credit any overpayment to Deposit Account No. 50-2421.

Sincerely,

Dated: February 12, 2008

\_\_\_\_\_/David R. Stevens/\_\_\_\_\_  
David R. Stevens  
Reg. No. 38,626

Stevens Law Group  
1754 Technology Drive, Suite 226  
San Jose, CA 95110  
Phone (408) 288-7588  
Fax (408) 288-7542